

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:

W.R. Grace & Co., *et al.*,

Debtors.

Libby Claimants,

Appellants,

v.

BNSF Railway Company *et al.*,

Appellees.

Chapter 11

Case No. 01-01139 (JKF)

Adv. Proc. No. 01-771

Jointly Administered

Hon. Ronald L. Buckwalter  
United States District Judge

No. 09-115-RLB


**AFFIDAVIT OF SERVICE**

STATE OF DELAWARE     )  
                                      ) SS  
NEW CASTLE COUNTY    )

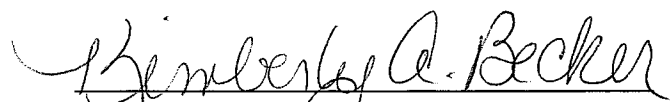
Michelle M. Dero, being duly sworn according to law, deposes and says that she is employed by the law firm of Landis Rath & Cobb LLP, attorneys for the Libby Claimants in the above-referenced cases, and on the 12<sup>th</sup> day of March, 2009, she caused a copy of the following:

**LIBBY CLAIMANTS' MOTION TO CORRECT CASE CAPTION, WAIVER  
OF MEDIATION REQUIREMENT, AND ESTABLISH DESIGNATION  
DEADLINES AND BRIEFING SCHEDULE [Docket No. 16]**

to be served upon the parties on the attached list via first class mail or in the manner as indicated.

  
Michelle M. Dero

SWORN TO AND SUBSCRIBED before me this 12<sup>th</sup> day of March, 2009.

  
Notary Public  
**KIMBERLY A. BECKER**  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires July 23, 2010

**LIBBY CLAIMANTS/BNSF RAILWAY  
COMPANY, *et al.***

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